



January 27, 2009

HOUSE BILL No. 1331

DIGEST OF HB 1331 (Updated January 22, 2009 10:20 am - DI 116)

Citations Affected: IC 36-8.

Synopsis: Body armor for police officers. Provides that a city, county, or town (unit) shall provide an active member of the police department of the unit with body armor for the torso (armor). Requires a unit to replace armor according to the replacement period recommended by the manufacturer of the armor. Makes technical corrections. Makes a conforming amendment.

Effective: July 1, 2009.

Lawson L, Tincher, Barnes

January 13, 2009, read first time and referred to Committee on Veterans Affairs and Public Safety.
January 26, 2009, reported — Do Pass.

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HB 1331—LS 7192/DI 96+



January 27, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1331

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 36-8-4-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) A city shall provide the active
3 members of the police and fire departments with all uniforms, clothing,
4 arms, and equipment necessary to perform their duties. **Except as**
5 **provided in section 4.5 of this chapter**, after one (1) year of regular
6 service in either department, a member may be required by the city to
7 furnish and maintain all of ~~his~~ **the active member's** uniforms, clothing,
8 arms, and equipment upon payment to the member by the city of an
9 annual cash allowance of at least two hundred dollars (\$200). The city
10 may credit the uniform allowance to each member against ~~his~~ **the**
11 **active member's** purchases during the calendar year and provide for
12 the payment of any cash balance remaining at the end of the calendar
13 year.
14 (b) All uniforms, clothing, arms, and equipment provided by the city
15 under this section remain the property of the city. The city may sell the
16 property when it becomes unfit for use, and all money received shall be
17 paid into the general fund of the city. Any property lost or destroyed

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1 through the carelessness or neglect of ~~an~~ **an active** member shall be
2 charged against the **active** member and the value deducted from ~~his~~ **the**
3 **active member's** pay.

4 SECTION 2. IC 36-8-4-4.5 IS ADDED TO THE INDIANA CODE
5 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
6 1, 2009]: Sec. 4.5. (a) As used in this section, "body armor" has the
7 meaning set forth in IC 35-47-5-13(a).

8 (b) After December 31, 2009, a unit shall provide an active
9 member of the police department of the unit with body armor for
10 the torso. The unit shall replace the body armor for the torso
11 according to the replacement period recommended by the
12 manufacturer of the body armor for the torso.

13 (c) An active member of the police department of a unit shall
14 not be required to maintain the body armor for the torso furnished
15 under this section from any annual cash allowance paid to the
16 member under section 4(a) of this chapter.

17 (d) Body armor for the torso provided by a unit under this
18 section remains the property of the unit. The unit may sell the
19 property when it becomes unfit for use, and all money received
20 shall be paid into the general fund of the unit.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1331, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

TINCHER, Chair

Committee Vote: yeas 8, nays 0.

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